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Attorneys for Defendant
PAUL FU

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

FITNESS ANYWHERE, INC..

Plaintiff,

STANLEY YAN, *et al.*

Defendants

Case No.: 09-4815 RS (RVTx)

**STIPULATED AND [PROPOSED]
ORDER TO CONTINUE HEARING ON
MOTION TO ENFORCE SETTLEMENT
AGREEMENT**

CIV. L.R. 6-1(a) and 7-7(b)

Date: December 15, 2011

Time: 1:30 p.m.

Judge: Hon. Richard Seeborg

Ctrm.: 3, 17th Floor

STIPULATION

Plaintiff Fitness Anywhere, Inc. (“Fitness Anywhere”) and Defendant Paul Fu (“Fu”) have executed a formal Settlement Agreement that fully settles all claims and demands, of whatever kind or nature, related in any manner to the above-captioned action. Pursuant to the Settlement Agreement, Plaintiff Fitness Anywhere and Defendant Paul Fu will dismiss all claims in the above-captioned action with prejudice, and anticipate doing so by January 3, 2012.

Based on the foregoing, and pursuant to Civil Local Rule 6-1(a) and 7-7(b), Fitness Anywhere and Fu hereby stipulate through their attorneys of record, and request that the Court at its convenience order that the hearing on Fu's Motion to Enforce Settlement Agreement be taken off-calendar to enable the parties to finalize their Settlement Agreement.

1 SO STIPULATED:

2 Dated: December 13, 2011 Schein & Cai LLP

3 /s/ James Cai

4 By: _____
5 James Cai
6 Attorneys for Defendant PAUL FU

7 Dated: December 13, 2011 Law Office of Omid A. Mantashi

8 /s/ Omid A. Mantashi

9 By: _____
10 Omid Mantashi
11 Attorneys for Plaintiff FITNESS ANYWHERE, INC.

ORDER

12 The Court having reviewed the Stipulation of Plaintiff Fitness Anywhere, Inc. (“Fitness
13 Anywhere”) and Defendant Paul Fu (“Defendant”), and good cause appearing, hereby takes the
14 hearing currently scheduled for December 15, 2011, off-calendar.

15 SO ORDERED:

16 Dated: 12/14/11



17 Hon Richard Seeborg
18 United States District Court Judge